



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND
EXCHANGE COMMISSION

Plaintiff,

v.

MARC J. GABELLI, and
BRUCE ALPERT,

Defendants.

08 CV 3868 (DAB)

STIPULATED ORDER OF FINAL JUDGMENT OF DISMISSAL
AGAINST DEFENDANT MARC J. GABELLI

It is stipulated and agreed by counsel for the plaintiff and counsel for the defendant Marc J. Gabelli that the remaining claims against Marc J. Gabelli are dismissed with prejudice and that Final Judgment of Dismissal shall be entered as to Marc J. Gabelli.

IT IS THEREFORE ORDERED that:

1. Final judgment of dismissal in this matter is entered with prejudice as to Marc J. Gabelli, and only as to defendant Marc J. Gabelli; and
3. Each party to this stipulation shall bear its own costs, disbursements, attorneys' fees, and expenses.

Counsel for Plaintiff Securities

& Exchange Commission



Kevin P. O'Rourke, Esq.

Jill S. Henderson, Esq.

100 F. Street, N.W.

Washington, D.C. 20549-4010

(202) 551-4442

Counsel for Defendant Marc J. Gabelli



CLEARY, GOTTlieb, STEEN & HAMILTON
LLP

Lewis J. Liman, Esq.
One Liberty Plaza
New York, NY 10006
(212) 225-2000

SO ORDERED.


U.S. District Court 8/5/13